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To: Examiner Caridad Everhart — UNITED STATES PATENT AND TRADEMARK OFFICE

Fax No.: (703) 872-9306

No. of Pages: 23 (incl. this page)

From: Kevin W. Stinger

Date: September 16, 2004

File No./Subject: **RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

Patent Application

Serial No.: 10/694,433

Filing Date: October 27, 2003

Title: PROCESS FOR IMPROVING YIELD OF DFB LASERS

Our File: 15436.247.7.1

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VIA FACSIMILE (703) 872-9306

PATENT APPLICATION
Docket No. 15436.247.7.1

In re application of

Sumesh Mani K. Thiyagarajan

Serial No.:

10/694,433

Filed:

October 27, 2003

For:

PROCESS FOR IMPROVING YIELD OF DFB LASERS

Confirmation No.:

8936

Examiner:

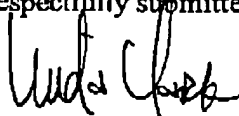
Caridad Everhart

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)CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the following documents are being filed with the U.S. Patent and Trademark Office via facsimile to Attn: Caridad Everhart, Examiner U.S. Patent and Trademark Office, facsimile number: (703) 872-9306 this 16 day of September, 2004:

- Transmittal Letter for Response to Notice of Non-Compliant Amendment and Amendment and Response to First Office Action (2 pgs.) (in duplicate)
- Response to Notice of Non-Compliant Amendment (1 page)
- Amendment and Response to First Office Action (16 pages)

Respectfully submitted,



Linda Clark, Assistant to
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PATENT APPLICATION
Docket No. 15436.247.7.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of

Sumesh Mani K. Tiyyagarajan

Serial No.: 10/694,433

) Art Unit
) 2825

Filed: October 27, 2003

Conf No.: 8936

For: PROCESS FOR IMPROVING YIELD OF DFB LASERS

Examiner: Caridad Everhart

VIA FACIMILE (703) 872-9306
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**TRANSMITTAL FOR RESPONSE TO NOTICE FOR NON-COMPLIANT
AMENDMENT AND AMENDMENT AND RESPONSE TO FIRST OFFICE ACTION**

Sir:

Transmitted herewith is a **RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT** and the **AMENDMENT AND RESPONSE TO FIRST OFFICE ACTION**, which was originally submitted by facsimile on August 11, 2004, for entry in the above-identified application, along with:

- ☒ A Certificate of Facsimile Transmission Under 37 C.F.R. § 1.6.
☐ A Certificate of Deposit Under 37 C.F.R. § 1.8.
☐ A Certificate of Deposit Under 37 C.F.R. § 1.10.

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September 16, 2004
10/694,433
Page 2

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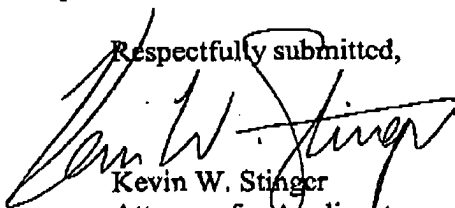
☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.

☒ Any patent application processing fees under 37 CFR 1.17.

☒ A duplicate copy of this transmittal letter is attached.

Dated this 16th day of September, 2004.

Respectfully submitted,



Kevin W. Stinger
Attorney for Applicant
Registration No. 48,959
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Telephone No. (801) 533-9800

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PATENT APPLICATION
Docket No. 15436.247.7.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Sumesh Mani K. Tiyyagarajan

Serial No.: 10/694,433

) Art Unit
) 2825

Filed: October 27, 2003

Conf No.: 8936

For: PROCESS FOR IMPROVING YIELD OF DFB LASERS

Examiner: Caridad Everhart

VIA FACIMILE (703) 872-9306
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL FOR RESPONSE TO NOTICE FOR NON-COMPLIANT AMENDMENT AND AMENDMENT AND RESPONSE TO FIRST OFFICE ACTION

Sir:

Transmitted herewith is a **RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT** and the **AMENDMENT AND RESPONSE TO FIRST OFFICE ACTION**, which was originally submitted by facsimile on August 11, 2004, for entry in the above-identified application, along with:

- ☒ A Certificate of Facsimile Transmission Under 37 C.F.R. § 1.6.
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September 16, 2004
10/694,433
Page 2

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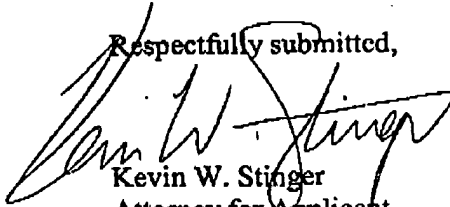
☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.

☒ Any patent application processing fees under 37 CFR 1.17.

☒ A duplicate copy of this transmittal letter is attached.

Dated this 16th day of September, 2004.

Respectfully submitted,



Kevin W. Stinger
Attorney for Applicant
Registration No. 48,959
Customer No. 022913
Telephone No. (801) 533-9800

KWS/lrc
LC0000001604V001

Application No. 10/694,433
Response to Notice of Non-Compliant Amendment mailed August 25, 2004

PATENT APPLICATION
Docket No. 15436.247.7.1

In re application of

Sumesh Mani K. Thiyagarajan

Serial No.:

10/694,433

Filed:

October 27, 2003

For:

PROCESS FOR IMPROVING YIELD OF DFB LASERS)

Confirmation No.:

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Examiner:

Caridad Everhart

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RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

VIA FACSIMILE (703) 872-9306
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This communication is in response to a Notice of Non-Compliant Amendment mailed August 25, 2004 (the "Notice"). Reconsideration of entry of the Amendment and Response to First Office Action (the "Amendment") submitted on August 11, 2004 is respectfully requested in view of the correction of the error noted in the Notice and resubmission thereof.

Dated this 16th day of September, 2004.

Respectfully submitted,

Respectfully submitted,

Kevin W. Stinger
Attorney for Applicant
Registration No. 48,959
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KWS/lrc
LC0000001605V001

Application No. 10/694,433
Amendment and Response to First Office Action mailed June 25, 2004

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PATENT APPLICATION
Docket No. 15436.247.7.1

In re application of

Sumesh Mani K. Thiyagarajan

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Examiner:

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AMENDMENT AND RESPONSE TO FIRST OFFICE ACTION

VIA FACSIMILE (703) 872-9306
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This communication is in response to Examiner's Office Action mailed June 25, 2004 (the "Office Action"). Reconsideration is respectfully requested in view of the following amendments and remarks.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims that begins on page 3 of this paper.

Remarks/Arguments begin on page 11 of this paper.